

Response
Application No. 10/684,467
Attorney Docket No. 042227

REMARKS

Claims 1-14 are pending in the present application.

Claim Rejections - 35 U.S.C. § 103

Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Yuen** (U.S. 5,673,089) in view of **Naimpally** (U.S. 5,532,748). Favorable reconsideration is requested.

Applicant respectfully submits that neither Yuen nor Naimpally discloses

means for displaying, when said allocation key is operated, the corresponding channel group as a list on a screen, to perform channel selection processing with respect to the channel selected by a user operation

as recited in claim 1, and

a list of the channel groups is displayed on a screen, and

there is provided means for displaying the selected channel and another channel such that a user can distinguish between the channels

as recited in claim 9; and these features would not have been obvious from Yuen in view of Naimpally.

Yuen explicitly discloses that when a theme key is pressed, a channel within the theme of the theme key is accessed and displayed. (Col. 6, lines 42-46.) Then after a set time period, the next channel within the theme is accessed and displayed. (Col. 6, lines 45-51.) This process continues until the theme key is pressed again. (Col. 6, lines 59-62.) Thus, Yuen explicitly discloses that the theme memory channels are not available for display as a group.

The Office Action acknowledges that Yuen does not disclose the above noted features of claims 1 and 9. (Office Action, pages 3 and 5.) However, The Office Action takes the position that it would have been obvious to have the theme memory channels available for display as a group based on the disclosure of Yuen. The Office Action cites several passages in Yuen for supporting this assertion.

The Office Action cites col. 4, lines 56-68 of Yuen which states that the display can be used to display “channel selections and other information.” However, “channel selections and other information” is not disclosed as: (1) including a channel group, (2) displaying when an allocation key is operated, (3) displaying in a list, and (4) displaying multiple channels such that a user can distinguish between the channels as required by either claim 1 or 9.

The Office Action cites col. 5, lines 15-21 of Yuen which provides methods for storing channels in a theme memory. The passage states that “many methods can be used to enter channels for a particular theme key into the theme memory,” that “on screen programming can be used to assist in the procedure,” and that a television program guide can be used “to look up channels that the user wishes to store under each theme key.” This passage concerns “methods for *storing* channels in a theme memory.” The passage does not concern means for displaying ... the corresponding channel group as a list on a screen, to perform *channel selection processing* or means for displaying the selected channel and another channel such that a user can distinguish between the channels.

Response

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Attorney Docket No. 042227

Finally, the Office Action cites Fig. 3 for disclosing that the theme memory, which lists the channels per theme, is in displayable form. However, this assertion is not correct. Yuen discloses that “FIG. 3 is a diagram illustrating the content of the theme memory.” (Col. 4, lines 28-30; col. 5, lines 37-39.) Fig. 3 is merely a diagram of the theme memory. Yuen does not disclose that Fig. 3 is displayable on a display. Thus, Fig. 3 does not show “a displayable form” of the theme memory.

The passages cited by the Office Action do not teach or suggest the limitations of claims 1 and 9 noted above, and the passages do not support that these features would have been obvious. Furthermore, Yuen explicitly teaches a different means for performing channel selection processing. Therefore, claims 1 and 9 would not have been obvious to one of ordinary skill in the art at the time of the present invention.

For at least the foregoing reasons, claims 1 and 9 are patentable over the cited references, and claims 2-8 and 10-14 are patentable by virtue of their dependence from either claim 1 or 9.

Accordingly, withdrawal of the rejection of claims 1-14 is hereby solicited.

In view of the above remarks, Applicant submits that the claims are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant’s undersigned attorney to arrange for an interview to expedite the disposition of this case.

Response


Application No. 10/684,467

Attorney Docket No. 042227

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'A G Melick', written in a cursive style.

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